

Dated: 04 March 2011 09:44 AM

ENTERED PURSUANT TO ADMINISTRATIVE ORDER NO.
03-4, KENNETH J.HIRZ, CLERK OF BANKRUPTCY COURT
BY: /s/ Dorothea Hutchins
Deputy Clerk

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

In re: Tobias Matthew Toothman) Chapter 13 Case No. 10-22273-B
XXX-XX-5024)
Stacie Lee Toothman) Hon. Randolph Baxter
XXX-XX-6663)
Debtors)

**ORDER DISMISSING CASE AND RELEASING
INCOME OF DEBTORS FROM THE JURISDICTION OF THE COURT**

This case came on for consideration by the Court upon all the matters scheduled for hearing on February 24, 2011.

The Motion to Modify filed by the debtors is hereby denied. The objection to confirmation filed by the Chapter 13 Trustee is sustained. The objection to confirmation filed by US Bank is hereby rendered moot.

IT IS HEREBY ORDERED that confirmation of the plan is denied, and the case is hereby dismissed, based upon the Court's finding(s) that:

The Debtors are in material default in funding the Plan. The Debtors received notice that failure to make required plan payments could result in dismissal without further notice or hearing through the "Additional Notices for Chapter 13 Cases in Cleveland, Ohio" attached to the court-issued "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, and Deadlines."

The Debtors and/or the Debtors' employer, as well as the future income of the Debtors, are hereby released from the supervision and control of the Court, as well as any order of the Court requiring payments to the Trustee in this case.

Submitted by:

/S/ Craig Shopneck

CRAIG SHOPNECK (#0009552)

Chapter 13 Trustee

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SERVICE LIST

Craig Shopneck, Chapter 13 Trustee

Office of the U.S. Trustee (served via ECF)

All creditors and parties of interest

Lauren E Perko, Attorney for Debtors (served via ECF)

Stacie Lee & Tobias Matthew Toothman, Debtors

1242 Orchard Glen Dr

Amherst OH 44001

Ppg Industries, Employer

Attn: Payroll, 3800 W 143rd St

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CS/bas

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